

CITY OF COLTON
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
FOR THE CITY OF COLTON/COLTON UTILITY AUTHORITY/
COLTON PUBLIC FINANCING AUTHORITY AND
COLTON HOUSING AUTHORITY
REGULAR MEETING MINUTES

May 6, 2014

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:05 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Eileen C. Gomez as follows:

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor
David J. Toro
Frank A. Gonzales (arrived at 5:06 p.m.)
Frank J. Navarro
Deirdre H. Bennett
Isaac T. Suchil, Mayor Pro Tem

Staff Present

Stephen P. Compton, City Manager
Eileen C. Gomez, City Clerk
Cristina Talley, City Attorney
Bill Smith, Community Services Director-ACM

Council Members/Staff Absent

Susan M. Oliva

City Attorney Cristina Talley read Closed Session titles A through C into the record.

CLOSED SESSION

- A. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency Designated Representative: Amer Jakher, Public Works Director; Ted Cooper, Human Resources Manager - Employee Organizations: Colton Police Management Association
Agency Designated Representative: Ted Cooper, Human Resources Manager - Employee Designations: Executive Group
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Name of Case: San Bernardino Public Employees Association v. City of Colton, CSMCS
Case No. ARB-13-0016
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: Executive Assistant to City Council/Office Manager

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:07 p.m. and at 6:20 p.m., the meeting reconvened, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Eileen C. Gomez with all members present as heretofore.

City Attorney Cristina Talley announced that the City Council did meet in Closed Session and discussed Items A through C with no reportable action.

CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR THE CITY
OF COLTON/COLTON UTILITY AUTHORITY/
COLTON PUBLIC FINANCING AUTHORITY AND
COLTON HOUSING AUTHORITY
REGULAR MEETING

May 6, 2014

Open Session of the Regular Meeting was called to order on the above-given date at 6:20 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Eileen C. Gomez, with all members present as heretofore.

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor
David J. Toro
Frank A. Gonzales
Frank J. Navarro
Deirdre H. Bennett
Isaac T. Suchil, Mayor Pro Tem

Staff Present

Stephen P. Compton, City Manager
Eileen C. Gomez, City Clerk
Cristina Talley, City Attorney
Aurelio DeLaTorre, City Treasurer (arrived at 6:28 p.m.)
Bill Smith, Community Services Director-ACM
Jessica Hurst, Finance Manager
Steve Ward, Police Chief
Tim McHargue, Fire Chief
Mark Tomich, Development Services Director
Dr. David Kolk, Electric Utility Director
Amer Jakher, Public Works Director

Council Members/Staff Absent

Susan M. Oliva

INVOCATION

Pastor Ron Hamann, Centerpoint Church

FLAG SALUTE

Louie Barrera and Steve Ferrance, American Legion Post 155

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Proclamation – Blue Ribbon Week – May 12 – 18, 2014

Mayor Pro Tem Suchil presented a Proclamation for Blue Ribbon Week, May 12 – 18, 2014. Police Chief Steve Ward received the Proclamation.

- Presentation – Commendation of Officers

Mayor Zamora presented the following Police Officers with certificates of commendation for their actions, bravery and courage.

- Officer Greg Castillo
- Officer Michael Collins
- Sergeant Steve Davis
- Corporal Gary Gruenzner

- Presentation – Colton Middle School – 60 Years of Academic Excellence

Council Member Frank Gonzales presented a plaque to the Colton Middle School for their 60 years of academic excellence. Cris Marin, Principal of the Colton Middle School received the plaque.

- Presentation – Frank Acosta – 41 Years as an Educator

Council Member Frank Gonzales presented a plaque for his 41 years of service and commitment as an educator at the Colton Middle School.

Colton Joint Unified School District Board Member Randall Cenicerros acknowledged Mr. Frank Acosta for being such a tremendous educator and mentor.

- Signing – Colton / Grand Terrace Water Wastewater Agreement Signing

City Manager read into the record a brief background of this agreement. Since approximately 1980 the City of Grand Terrace contracted the City of Colton for Wastewater treatment. Disputes have risen between the City of Grand Terrace and City of Colton regarding rates charged for their services. Staff and legal counsel for Colton have been working with the City of Grand Terrace to remove the outstanding issues to continue the relationships in a mutual beneficial way and provide cost effective services to both jurisdictions. Pursuant to City Council direction, staff, legal counsel, Mayor Zamora, and Council Member Gonzales, and on several occasions with their counterparts the City of Grand Terrace, to discuss and resolve the issues based on their discussions, the parties prepared the following three agreements for City Council's consideration (approved on March 18, 2014): Settlement Agreement and Release; Sewer Services Agreement and Wastewater Enterprise Release Agreement. Pursuant with these three agreements Colton/Grand Terrace resolve the claims between them related to the wastewater services. Colton will take over the operation and maintenance of the combined City of Colton and Grand Terrace wastewater systems, including the collection pre-treatment maintenance, treatment, billing, and capital improvements. This agreement that is being signed tonight is a 50 year agreement.

In attendance were the following City of Grand Terrace Officials: Mayor Walt Stanckiewicz, Council Member Jackie Mitchell, Council Member Darcy McNaboe, City Manager Kenneth Anderson and Council Member Sylvia Robles.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF MAY 6, 2014.

Mayor Sarah S. Zamora asked the members present if there were any agenda items that were a conflict of interest pursuant to CMC Section 2.04.030.

AB 1234 ORAL REPORTS

None.

MAYOR AND COUNCIL DISCUSSION ITEMS

- The Community Foundation “Give BIG” San Bernardino County Event on May 8, 2014.

Council Member Navarro gave a brief review of the “Give Big” Program, a 24-hour online webathon benefiting San Bernardino County non-profit organizations. He informed the public that if anyone is interested in participating, they can contact the Community Foundation representative Joe Marquez at 951-241-7777.

APPOINTMENTS

None.

PUBLIC COMMENT

The following community members addressed the Council:

Dr. Luis Gonzalez (Dr. G); Theodore Rodriguez; John Anaya Sr.; John Futch, field representative for Supervisor James Ramos, Third District.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

Council Members made comments on various issues and activities throughout the community.

CITY TREASURER’S REPORTS

None.

CONSENT CALENDAR

The following action was taken on the Consent Calendar:

Mayor Zamora presented Consent Calendar Item Nos. 1 through 11 for action by Council.

CM Gonzales had questions on Item Nos. 3, 6, 8.

MPT Suchil had questions on Item Nos. 2 and 11.

Mayor Zamora mentioned the stamp on the top right hand corner of items 10 and 11 that says "Legal final adjustments may be provided at the Council Meeting."

City Attorney Talley responded that for item 10 and 11 there was some language relating to the CalPERS laws that needed to be inserted into both of these two documents and it would be appropriate for the Council to insert the language and ask Mr. Cooper to summarize that language for the record, what the provisions would be and then the Council could approve these items subject to the insertion of that language and subject to the approval by the City Attorney as to form and that way they don't have to bring it back to Council.

CM Bennett amended her previous motion to include the provision on documents.

Motion and second by CM Bennett/CM Navarro, to approve Consent Calendar Items Nos. 1 through 11 with the inclusion of the provision on documents for item 10 and 11. Motion carried with CM Oliva absent.

- (1) Minutes – Approved Minutes for the City Council Regular Meeting Held April 15, 2014, on File in the Office of the City Clerk.
- (2) Warrants – Approved Payable Warrants #141128 to #141292, Dated 3/13/14, Totaling \$1,772,707.57; Payable Warrants #141293 to #141397, Dated 3/20/14, Totaling \$741,034.26; and a Payroll Disbursement Listing for the Period 3/29/14 to 4/11/14, Totaling \$715,653.01, on file in the Finance Department.
- (3) Second Reading of O-05-14 – Waived Full Reading and Passed Second Reading on an Ordinance Adopting Speed Limits Upon the Streets of the City of Colton, ORDINANCE NO. O-05-14.
- (4) Development Services Department Personnel Action – Approved a Resolution Authorizing One Full-Time Planning Manager Position for Development Services Department, Planning Division, RESOLUTION NO. R-29-14.
- (5) Contract with Department of Education for Expenditure Allocations – Adopted a Resolution Approving Expenditure Allocations Associated with State of California Contract CCTR-3330 for the Provision of School Age Education Services in the Early Childhood Education Division of the Community Services Department. RESOLUTION NO. R-27-14.
- (6) Withdrawal from Agua Mansa Industrial Growth Association Joint Powers Authority - Discussion and Consideration of Possible Withdrawal from the Agua Mansa Industrial Growth Association Joint Powers Authority.
- (7) Application(s) for CalRecycle Grants – Approved a Resolution Authorizing Submittal of Application(s) for all CalRecycle Grants for which the City of Colton is eligible, and Authorize the City Manager or his Designee to Execute the Grant Application and Related Documents, RESOLUTION NO. R-28-14.

- (8) Cooperation Agreement for CDBG and City-County Delegate Agency - Approved a Resolution Authorizing a Joint Request to the United States Department of Housing and Urban Development (HUD) for Metropolitan City/Urban County Joint Recipient Status; Approval and Authorization to Execute a Cooperation Agreement for CDBG and City-County Delegate Agency Agreement, RESOLUTION NO. R-30-14.
- (9) Ratification and Amendments to Successor Agency Agreements – Adopted Resolution No. SAR-02-14 Approving and Adopting the Ratification and Amendment Agreements between the Successor Agency and the City, re-entering into: (1) the 2005 Colton Utility Authority Loan Agreement; (2) the 2007 City Loan Agreement; and (3) the 2007 City Promissory Note, RESOLUTION NO. SAR-02-14.
- (10) MOU - Police Management Association – Approved the Memorandum of Understanding (MOU) between the City of Colton and the Police Management Association (PMA).
- (11) Executive Group Resolution – Approved a Resolution Approving Compensation and Benefits for the Executive Group, RESOLUTION NO. R-31-14.

PUBLIC HEARING

To speak on public hearing items, it is requested that you obtain a card from the City Clerk and complete it by noting the agenda item number, as well as whether you are in favor, opposition or neither, and give it to the City Clerk. The applicant will be allowed 5 minutes to address the Council and all other persons will be allowed 3 minutes; provided, however, that the presiding officer shall have certain discretion to extend or limit time as provided for in the City Council Manual of Procedure.

- (12) Zoning Text Amendment – Housing Element Consistency (File Index No. DAP-001-147)

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO ADOPT ZONING TEXT AMENDMENT TO AMEND VARIOUS PROVISIONS OF CHAPTER 18.04, 18.06 AND 18.48 OF THE COLTON MUNICIPAL CODE PERTAINING TO EMERGENCY SHELTERS, SUPPORTIVE AND TRANSITIONAL HOUSING AND REASONABLE ACCOMODATIONS IN HOUSING FOR PERSONS WITH DISABILITIES TO ENSURE CONSISTENCY WITH STATE LAW.

Mayor Zamora read the title of the Ordinance into the record.

City Clerk Gomez announced that the affidavit of publication is on file in the City Clerk's Office and no protests or objections were received.

Development Services Director Mark Tomich introduced the Housing Element consultant John Douglas to give the presentation on the Housing Element overview.

Mayor Zamora opened the Public Hearing.

Motion and second by CM Suchil/CM Navarro, to close the public hearing. Motion carried with CM Oliva absent.

Motion and second by MPT Suchil/CM Bennett, to waive full reading and approve first reading of Ordinance No. O-06-14.

BUSINESS ITEMS

CITY MANAGER'S REPORTS

City Manager Compton provided a brief explanation of his current working projects.

He also asked the Council to consider changing the May 20, 2014 Council meeting to a later date as most of the Council members and staff would be out at ICSC conference.

Consensus of the Council to adjourn the next Council meeting to Thursday, May 22, 2014.

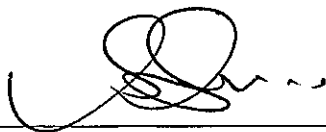
ADJOURNMENT

CM Navarro asked to take a moment of silence to honor two peace officers that were killed in the last couple of weeks, San Bernardino Police Officer Shawn Jarvis, and Los Angeles Police Officer Roberto Sanchez.

Mayor adjourned to Closed Session and asked to close the regular meeting in memory of Gonzalo Ramirez Junior, Los Angeles Police Officer Roberto Sanchez and San Bernardino Police Officer Shawn Jarvis.

City Attorney Talley stated for the record, that after completing Closed Session, the meeting would be adjourned to May 22, 2014.

At 8:48 p.m., Mayor Zamora adjourned the meeting.



Sabdi Sanchez
Chief Deputy City Clerk